

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT.

Tirumala Tirupati Devasthanams – Appeals – Appeal filed by Sri N.Hari Babu, Senior Assistant, Tirumala Tirupati Devasthanams Press Tirupati u/s. 120 (ii) of Act 30/87 against the orders of Tirumala Tirupati Devasthanams Trust Board – Appeal allow – Orders – Issued.

Revenue (Endts.III) Department

G.O.Rt.No.1217

Dated:05-06-2008.

Read the following:

1. Memorandum of Charge Roc.No.DA3/22049/97, dt.5-11-1997. of Executive Officer, T.T.D.,
2. Proceedings Roc.No.DA3/22049/97, dt.7-8-2001 of E.O. TTD.
3. Proceedings Roc.No.B2/23479/2001, dt.17-6-2006 of E.O. TTD.
4. From Sri N.Hari Babu, Jr.Asst., TTDs, Tirupati, appeal dt.22-09-2006.
5. Government Memo.No.44289/Endts.III/A2/2006, dt.30-11-2006.
6. From the Executive Officer, T.T.Ds, Roc.No.B2/25514/06, dated 23-02-2007.

ORDER

This is an appeal filed by Sri N.Hari Babu, Senior Assistant, Tirumala Tirupati Devasthanams under sec.120 (ii) of act 30/87 against the punishment of Censure imposed by the Tirumala Tirupati Devasthanams, Board of Trustees.

2. Two criminal cases were booked against him. One of attempting to murder a driver and his second an attempt to murder a tea kettle vendor. Sri N.Hari Babu was placed under suspension and charges were framed and enquiry conducted. Both the criminal cases filed against him ended in acquittal and he was restored to duty pending finalization of departmental enquiry. When the disciplinary enquiry was going on, the appellant herein filed a complaint and stated that the Enquiry Officer abused him in filthy language and that he was biased. The appellant also requested to change the Enquiry Officer. In the second enquiry, the Enquiry Officer felt that in view of the acquittal by the court and also considering the fact that no adverse statement was given by any body against the appellant at the time of enquiry, the charges were not held proved. Regarding additional charges the Enquiry Officer submitted that they are only a further development which arose when the appellant complained against the Enquiry Officer.

3. While Sri N.Hari Babu was punished with stoppage of one increment without cumulative effect, the TTD Board while entertaining appeal, revised the punishment to censure. Against this order, the appellant has now filed the present appeal.

4. The case was posted for hearing on 15-12-2007. The appellant was present. "On behalf of Tirumala Tirupati Devasthanams the Special Officer Balaji Bhavan" was present.

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5. In this regard it is observed that the question in the entire case is whether the accused officer has been found guilty, and if so, what should be the punishment. In the criminal case as well as the disciplinary enquiry, the accused officer has not been found guilty. In the absence of any finding that there is evidence to show that he committed the offence which requires punishment, there seems to be no justification for imposing any punishment arbitrarily.

6. Government hereby allow the appeal and set aside the orders passed by the TTD in resolution No.89, dated 5 and 6th May, 2006.

7. The Executive Officer, Tirumala Tirupati Devasthanams, is requested to take necessary action, accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

G.SUDHIR,
PRINCIPAL SECRETARY TO GOVERNMENT.

To

Sri N.Hari Babu, Junior Assistant, thro' Executive Officer,
Tirumala Tirupati Devasthanams, Tirupati.

The Executive Officer,
Tirumala Tirupati Devasthanams,
Tirupati.
SF.

//FORWARDED::BY ORDER//

SECTION OFFICER.